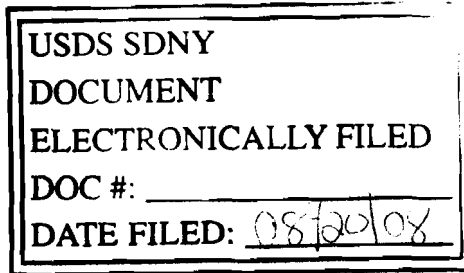


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August 19, 2008

Via FACSIMILE

The Honorable John G. Koeltl
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1030
New York, NY 10007

Re: *Commerce and Industry Insurance Company and American International Specialty Lines Insurance Company v. U.S. Bank National Association, as Indenture Trustee for the Registered Holders of FMAC Loan Receivables Trusts 1997-B, 1998-B, 1998-C, 1998-D, and 2000-A, Civil Action No. 1:07 CV 5731 (JGK)(RLE)*

Dear Judge Koeltl:

We represent plaintiffs in this action. I write with respect to defense counsel's August 4, 2008 letter (attached), wherein he requests that the Court adjourn the August 29 (2:30 pm) motion to dismiss oral argument to either September 3 or 4. Defense counsel noted that I was agreeable to the adjournment, but that if the Court was not available on those dates, counsel would appear August 29.

Unfortunately, due to the passage of time I am no longer available September 3 or 4 because I have been asked to appear before the Superior Court for Jefferson County, Missouri for a case management conference on the morning of September 4. Consequently, I ask that oral argument on the motion to dismiss remain set on August 29 at 2:30 pm.

I have spoken with counsel for defendant and he advises that he is available on August 29.

Respectfully submitted,

Therefore, the motion will
proceed on 8/29 at
2:30 p.m.

8/19/08 so ordered.
for 6 Koeltl
a.s.d.s


Harry Lee

AUG-04-2008 15:05 From: MCKENNA

2129221819

To: Steptoe

P.2/3

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August 4, 2008

BY FACSIMILE

The Honorable John G. Koeltl
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1030
New York, NY 10007

Re: *Commerce and Industry Insurance Company ("C&I") and American International Specialty Lines Insurance Company ("AISLIC") v. U.S. Bank National Association, as Indenture Trustee for the Registered Holders of FMAC Loan Receivables Trusts 1997-B, 1998-B, 1998-C, 1998-D, and 2000-A (collectively, "U.S. Bank"), U.S. District Court, Southern District of New York, Civil Action No. 1:07 CV 5731 (JGK) (RLE)*

Dear Judge Koeltl:

We represent the defendant in this action. I write to request that the date of oral argument on the motion to dismiss be adjourned from 2:30 on August 29 to any time on the days of September 3 and 4. I have spoken with counsel to plaintiffs and they are available on each of those dates.

If Your Honor is not available on either of those dates, we will arrange our schedules to appear before Your Honor on August 29.

Respectfully yours,



Charles E. Dorkey III

CED:mo